

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25768 of 2020

Arising Out of PS. Case No.-73 Year-2020 Thana- SITAMARHI District- Sitamarhi

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VIRENDRA PAHARI @ VIRENDRA YADAV Son of Late Bharath Ray
Resident of Village - Vishwanathpur, P.S.- Dumra, District – Sitamarhi.

... ... Petitioner.

Versus

THE STATE OF BIHAR

... ... Opposite Party.

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Appearance :

For the Petitioner : Mr. Dinesh Jha, Advocate.
For the State : A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 14-10-2020 In view of the submission and undertaking of the learned counsel for the petitioner, at the time of hearing of this application, through Video Conferencing, that he would remove the defect(s), as pointed out by the office vide its notes dated 26.09.2020, within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioner and the learned A.P.P. for the State, through Video Conferencing.

The petitioner seeks bail in connection with Sitamarhi P.S. Case No.73 of 2020 registered under Section 414 of the Indian Penal Code besides Sections 25(1-B) a, 26(2) and 35 of the Arms Act.



The accusation is that in course of patrolling duty by the informant along with other police personnel, two persons were seen in suspicious condition on motorcycle. On seeing the police vehicle, while one person succeeded to flee away but another person, who was driving the motorcycle, was apprehended and he disclosed his name as Salamuddin Quareshi. On search, the apprehended person was found in possession of one pistol containing six live cartridges in a Magazine and he also disclosed the name of another person, who succeeded to flee away, as Virendra Pahari (petitioner).

Learned counsel appearing on behalf of the petitioner submits that the petitioner was not apprehended on the spot rather his name has surfaced in this case in the confessional statement of apprehended accused person, namely, Salamuddin Quareshi. While the petitioner is accused in one more case, as detailed in paragraph-3 to his application, but in that case, he is on bail. In the present case, the petitioner is in custody since 05.03.2020.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the Chief Judicial Magistrate, Sitamarhi, in connection with Sitamarhi P.S. Case No.73 of 2020. Out of the two sureties, one must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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